

03C01-2104-CT-002310

Bartholomew Circuit Court

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Clerk

Bartholomew County, Indiana

STATE OF INDIANA)
) SS: IN THE BARTHOLOMEW CIRCUIT COURT
COUNTY OF BARTHOLOMEW) COLUMBUS, INDIANA

JUDY SALTSMAN, and
COY SALTSMAN
Plaintiffs,

-vs-

WALMART, INC.
Defendant.

CAUSE NO: 03C01-2104-CT-002310

COMPLAINT FOR DAMAGES AND JURY DEMAND

COUNT I

Comes now Plaintiff, JUDY SALTSMAN, by counsel, Wanda E. Jones, and for her cause of action against the Defendant, WALMART, INC., alleges and states as follows:

1. That Plaintiff, JUDY SALTSMAN, is a resident of Columbus, Indiana.
2. That Walmart, INC., owned, operated, managed, and/or controlled the premises more commonly known as Walmart located at, 735 Whitfield Drive, Columbus, Indiana, hereinafter referred to as the "premises".
3. On and prior to March 28, 2020 it was the duty of Defendant to maintain and manage the premises at the above-said location with due care and caution, including keeping communal areas and walkways used by customers and other persons in safe condition and free from any obstructions.
4. On or about March 28, 2020, Plaintiff, JUDY SALTSMAN, was a business invitee, who was injured on the premises due to the negligent acts and

omissions of Defendant.

5. Defendant's negligent and careless acts and omissions include, but are not limited to: failure to properly maintain common areas on Defendant's premises, said areas being dangerous, and defective for business invitees such as the Plaintiff; failure to inform and warn Plaintiff and other persons using the Defendant's premises of the dangerous and unsafe condition of the premises; failure to properly inspect and maintain the premises in a safe condition for use by business invitees such as the Plaintiff so as not to cause injury to the Plaintiff and others similarly situated.
6. Defendant knew, or by the exercise of ordinary and reasonable care should have known, of the unsafe and dangerous conditions then and there existing on the premises.
7. As a direct and proximate result of Defendant's negligent acts and omissions, Plaintiff, JUDY SALTSMAN, slipped and fell on Defendant's premises, sustaining severe and permanent injuries, incurred and will in the future incur expenses for her medical care and treatment, and will in the future suffer pain, physical disability and emotional distress.

WHEREFORE, Plaintiff, JUDY SALTSMAN, prays for judgment against the Defendant, WALMART, INC., for compensatory damages in an amount which will compensate her, plus costs, including attorney's fees for any frivolously asserted affirmative defenses, and all other just and proper relief.

/s/: Wanda E. Jones
WANDA E. JONES, #11223-64
Attorney for Plaintiff

COUNT II

Comes now plaintiff, COY SALTSMAN, by counsel, Wanda E. Jones of Jones Law Offices, and for his cause of action against defendant, WALMART INC., states as follows:

11. That he realleges and reaffirms each and every rhetorical paragraph contained in Count I of this Complaint and incorporates the same herein by reference.

12. That at all times relevant to this action, he was the lawfully wedded husband of JUDY SALTSMAN.

13. That as a direct and proximate result of the above-described negligence on the part of the defendant, the plaintiff, COY SALTSMAN, lost the love, care, affection and services of his wife, JUDY SALTSMAN.

WHEREFORE, plaintiff COY SALTSMAN prays for judgment against the defendant in an amount sufficient to compensate him for his damages, plus costs, including attorney's fees for any frivolously asserted affirmative defenses, and for all other just and proper relief in the premises.

/s/: Wanda E. Jones
WANDA E. JONES, #11223-64
Attorney for Plaintiff

JURY DEMAND

Plaintiff, by counsel, demands trial by jury.

/s/: Wanda E. Jones
WANDA E. JONES, #11223-64
Attorney for Plaintiff
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